

## **TITLE 3. DISTRICT OF COLUMBIA BOARDS AND COMMISSIONS**

### **SUBTITLE I. GENERAL**

### **CHAPTER 12. HEALTH OCCUPATIONS BOARDS**

### **UNIT A. GENERAL**

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#### **SUBCHAPTER XIII. APPROPRIATIONS**

##### **§ 3-1213.01. Appropriations**

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(a) Funds may be appropriated to carry out the purposes of this chapter.

(b) All provisions pertaining to marriage and family therapy added by the Marriage and Family Therapy Amendment Act of 2003, effective May 10, 2004, D.C. Law 15-88, 50 DCR 10999, shall be subject to the availability of appropriations.

##### **§ 3-1202.08. Board of Pharmacy [Formerly § 2-3302.8]**

(a) There is established a Board of Pharmacy to consist of 7 members appointed by the Mayor.

(b) (1) The Board shall regulate the practice of pharmacy and the practice of pharmaceutical detailing.

(2) The Board is authorized to:

(A) Establish a code of ethics for the practice of pharmaceutical detailing; and

(B) Collect information from licensed pharmaceutical detailers relating to their communications with licensed health professionals, or with employees or representatives of licensed health professionals, located in the District.

(c) Of the members of the Board, 5 shall be pharmacists licensed in the District and 2 shall be consumer members.

(d) Except as provided in subsection (e) of this section, members of the Board shall be appointed for terms of 3 years.

(e) Of the members initially appointed under this section, 2 shall be appointed for a term of 1 year, 2 shall be appointed for a term of 2 years, and 3 shall be appointed for a term of 3 years.

**§ 3-1205.01. License required [Formerly § 2-3305.1]**

A license issued pursuant to this chapter is required to practice medicine, acupuncture, chiropractic, registered nursing, practical nursing, dentistry, dental hygiene, dietetics, marriage and family therapy, massage therapy, naturopathic medicine, nutrition, nursing home administration, occupational therapy, optometry, pharmaceutical detailing, pharmacy, physical therapy, podiatry, psychology, social work, professional counseling, audiology, speech language pathology, and respiratory care or to practice as an anesthesiologist assistant, physician assistant, physical therapy assistant, occupational therapy assistant, or surgical assistant in the District, except as provided in this chapter.

A certification issued pursuant to this chapter is required to practice advanced practice registered nursing.

**§ 3-1207.41. Scope of practice**

(a) An individual shall be licensed by the Board of Pharmacy before engaging in the practice of pharmaceutical detailing in the District of Columbia.

(b) A pharmaceutical detailer shall not:

- (1) Engage in any deceptive or misleading marketing of a pharmaceutical product, including the knowing concealment, suppression, omission, misleading representation, or misstatement of any material fact;
- (2) Use a title or designation that might lead a licensed health professional, or an employee or representative of a licensed health professional, to believe that the pharmaceutical detailer is licensed to practice medicine, nursing, dentistry, optometry, pharmacy, or other similar health occupation, in the District of Columbia, unless the pharmaceutical detailer currently holds such a license; or
- (3) Attend patient examinations without the consent of the patient.

**§ 3-1207.42. Qualifications for licensure**

In addition to the general qualifications for licensure set forth in this chapter, an individual applying for a license to practice pharmaceutical detailing shall:

- (1) Establish, to the satisfaction of the Board of Pharmacy, that he or she is a graduate of a recognized institution of higher education;
- (2) Pay the required licensure fee; and

(3) Submit to the Board of Pharmacy a notarized statement that he or she understands and agrees to abide by the requirements for the practice of pharmaceutical detailing, including the code of ethics, as established by the Board pursuant to § 3-1202.08 and in accordance with this subchapter.

**§ 3-1207.43. Waiver of licensure requirements**

The Board of Pharmacy shall waive the educational requirements for an applicant for licensure as a pharmaceutical detailer who can demonstrate, to the satisfaction of the Board, that he or she has been performing the functions of a pharmaceutical detailer, as defined in this subchapter, on a full-time, or substantially full-time, basis for at least 12 months immediately preceding March 26, 2008.

**§ 3-1207.44. Continuing education**

The Mayor shall establish by rule continuing-education requirements as a condition for renewal of the license to practice pharmaceutical detailing.

**§ 3-1207.45. Penalties**

In addition to the penalties set forth in this chapter, a person who practices pharmaceutical detailing without a license shall be subject to a fine of up to \$ 10,000.